

Fahn, Patrick J.

From: Picha, Paul R.
Sent: Monday, June 16, 2008 10:20 AM
To: kranda@kelschlaw.com; Fahn, Patrick J.
Cc: Paaverud, Merl E.; Swenson, Fern E.; Quinnell, Susan L.
Subject: FW: Notice of Deadline for Any Comment to PSC by 5:00 PM central Monday June 16, 2008
Attachments: Substitute Exhibit D ND-365-1-rev1.pdf

NDSHPO Ref.: 06-0088 Keystone PSC/DOS

June 16, 2008

Dear Todd & Pat:

The Capp reroute refinement (Substitute Exhibit D) is currently under review by Department of State (DOS), the federal lead agency, and is being treated as part of Addendum 15 in terms of cultural resource reporting for the Keystone project. One recently recorded historic archaeological site (32WA260, a stone foundation, SE-SE-SE-NW of Section 26) is within the corridor.

We await written correspondence from DOS with respect to a formal evaluation (and determination) of the significance and National Register of Historic Places eligibility for 32WA260, as it is within the construction impact corridor. It is our understanding that additional testing work is being proposed as part of the formal evaluation.

Finally, there are no other cultural resource concerns that have been brought to our attention regarding the Substitute Exhibit D routing refinement being contemplated.

If we receive updated information before 5 pm today on this matter, we will relay that as well. Thank you.

Sincerely,

Paul R. Picha

From: Paaverud, Merl E.
Sent: Thursday, June 12, 2008 4:04 PM
To: Swenson, Fern E.; Picha, Paul R.
Subject: FW: Notice of Deadline for Any Comment to PSC by 5:00 PM central Monday June 16, 2008

From: Todd Kranda [mailto:kranda@kelschlaw.com]
Sent: Thursday, June 12, 2008 1:37 PM
To: -Info-Aeronautics Commission; -Info-Dept. of Agriculture; -Info-Attorney General; Dwelle, Terry L.; -Info-DHS Executive Office; -Info-Labor Dept.; -Info-Dept. of Career & Technical Education; Lucy, Paul J.; Engleson, Jeff A.; -Info-Game & Fish Dept.; Murphy, Ed C.; -Info-Governor's Office; -Info-Dept. of Transportation; Paaverud, Merl E.; Kulas, Cheryl M.; Brostrom, Darren W.; Preszler, Gary D.; -Info-Parks & Recreation; Govig, Paul T.; scott.hochhalter@ndsu.edu; -Info-State Water Commission; Daley, Maren L.
Cc: Fahn, Patrick J.; Binek, William W.; 'Thomas D Kelsch'
Subject: RE: Notice of Deadline for Any Comment to PSC by 5:00 PM central Monday June 16, 2008

June 12, 2008

Notice to State Agencies and Officials as Identified Pursuant to Section 69-06-01-05 ND Admin Code:

524 PU-06-421 Filed: 6/16/2008 Pages: 2
Email re Comments Concerning Keystone's June 12, 2008 Notification of one Reroute

TransCanada Keystone Pipeline has filed with the North Dakota Public Service Commission (PSC) a Substitute Exhibit D relating to the previously filed Motion dated May 27, 2008 for approval of two route refinements within the approved corridor. The Substitute Exhibit D document is a map which slightly adjusted the route refinement to avoid a residence by at least 500 feet which existed along one of the two proposed route refinements that were submitted and relates to what is referred to as the Capp Route Refinement in Walsh County. The motion was partially approved by the PSC for one of the two route refinements and is pending regarding the second route refinement in order to allow either the filing of a waiver or an adjustment of the route to accommodate for the 500 foot buffer for the residential avoidance requirement.

Keystone is providing this email notice to each agency and state official with a deadline for comment on the pending Motion for the route refinement that has been filed with the PSC. This email is intended to be such notification to you that any comments on the pending motion be provided by email response or in writing to the PSC located at 600 East Boulevard - Dept 408 in Bismarck, with a copy of such written comments also sent to the undersigned, by **no later than 5:00 p.m. central time on Monday, June 16, 2008.**

A request is being made by Keystone for the PSC to complete its review and determination regarding this pending request for approval of route refinement as it relates to the so-called Capp Route Refinement now that the residence is being avoided. A hearing was previously held by the PSC and now this filing should complete the record to allow consideration of and issuance of a determination on this route refinement request. Thank you for your attention to this matter.

Sincerely,

Todd D. Kranda
Attorney for TransCanada Keystone Pipeline

c: Patrick Fahn, Staff with Public Service Commission
William W. Binek, Attorney for Public Service Commission
Thomas D. Kelsch, Attorney for TransCanada Keystone Pipeline

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Todd D. Kranda
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